

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.27055 OF 2005

Date:20th December, 2005

Between:

M/s Sri Priyanka Agro Enterprises (P) Ltd., ...Petitioner

And

Commercial Tax Officer No.II and another ...Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.27055 OF 2005

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

Heard learned counsel for the parties. With their consent, the writ petition is

being disposed of at this stage.

The controversy is that pending appeals, application for stay filed by the petitioner was dismissed by the competent authority. We have gone through the record and heard learned counsel for the parties. We feel that the interest of justice would have been met if stay was granted pending appeals, subject to deposit of 50 per cent of the disputed tax. Therefore, we set aside the order of the authority and direct that 50 per cent of the disputed tax shall be paid by the petitioner, within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeals, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeals.

The writ petition is accordingly disposed of. No costs.

(Bilal Nazki, J)

20th December, 2005

(S.Ananda Reddy,J)

-

vrn